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and not merely a reprint made up to sell upon the basis of the reputation of the original. In this respect Mr. JONES's books are always satisfactory. His method of treatment is, of course, a popular method, by which is meant that he makes no serious effort to analyze tendencies, or, by a scientific application of the historical method to gather from past and present development suggestions as to future growth. But the lines originally laid down are faithfully followed, and the work is brought down to date with scrupulous care.

G. W. P.

THE BENCH AND BAR OF NEW HAMPSHIRE, including Biographical Notes of Deceased Judges of the Highest Court and Lawyers of the Province and State and a List of Names of those now Living. By CHARLES H. BELL. Boston and New York: Houghton, Mifflin & Co. The Riverside Press, Cambridge. 1894.

In this book we gain an accurate and well-stated digest of those lawyers and judges who established the reputation of the New Hampshire Bar as it was some years ago. Of course among the list are many whose reputation has not reached beyond the limits of the State and, perhaps, have hardly been known as lawyers within its limits. But ATHERTON, BARTLETT, THORNTON, BELL, MASON, RICHARDSON, WEBSTER and WOODBURY are names which, in their day and generation, had a much wider significance and were borne by men who throughout New England at least were esteemed good lawyers, wise judges and able men of affairs.

The biographies contain many amusing incidents of the personal peculiarities of the subjects to which they refer, and among the New England States the Bar of New Hampshire has stood pre-eminent in that interesting respect. An equal freedom from conventionalities has manifested itself on the Bench, and if current report be believed the present Chief Justice surpasses all his associates and predecessors in that unenviable regard.

Boldness and independence of mind in giving utterance to

the law upon the Bench, we cannot have in too great degree and the State is to be congratulated that so many of its judges have possessed these characteristics. The decision of *Britton v. Turner*, in Vol. 6 N. H. Reports, at page 481, on the entirety of contracts indicates these qualities and is greatly to be commended.

The biographies are interesting also as marking the change which has manifested itself in the profession within the last thirty years. In the earlier days the important questions of law arising from the necessity of adopting the common law to the affairs of our new country offered a field in which the ablest lawyers of New Hampshire labored faithfully and well.

As a result the decisions of New Hampshire courts are a high authority upon points of common law practice and procedure and upon the fundamental principles of the law of contracts, torts, equity and real estate.

But with the establishment of these fundamental principles and their crystallization into decisions repeatedly sustained, the profession has ceased to find within the State a field which could develop and occupy the best abilities of its members.

For the main occupation of the lawyer to-day is the protection of property rights already established. The great questions of public rights and to an extensive degree also of private rights have been passed upon and defined in all the States. Questions as to commercial rights and powers are in the main the sources of activity upon which the lawyer in any State can depend for occupation. And in the smaller States or one where the growth of business has been comparatively small or confined within narrow channels, there have not arisen new questions of property rights or questions upon which depended large financial interests.

The only exceptions have been those of railway or manufacturing corporation law, and there the precedents in other States have been clear and well established. As a consequence young men of promise have not been attracted into the profession from other States, but on the contrary young men of promise in the State have been attracted out of it, and so as a further consequence the decisions of its courts and the

arguments of its lawyers are not of the importance or interest that they have been.

But as portraits of men who from small beginnings and with few advantages worked themselves up into commanding position among their cotemporaries, they are interesting, and it cannot be gainsaid that the lawyers whose labors are here described were men who fearlessly, faithfully and with signal ability discharged the duties which they were called on to perform.

The printing, paper and binding are unexceptionable, as is usually the case with work from the Riverside Press.

Manchester, N. H.

G. W.

THE ANNUAL OF THE LAW OF REAL PROPERTY. Edited by
TILGHMAN E. BALLARD and EMERSON E. BALLARD. Vol. 2.
Crawfordville, Ind.: The Ballard Publishing Co. 1893.

Legal literature has reached the point where compendiums of particular branches of the law, if well done, have an assured place. The second volume of the Messrs. BALLARD's work brings the law of Real Property down to the present year, continuing from Volume I begun a year earlier. As we said, in reviewing the first volume, the only true test of the success of such a production is the demand for it, and there is every evidence that this one has already met with that success.

Volume II contains a smaller number of cases reported in full than the previous volume. It is to our mind a mistake to insert the full report of *any* cases. The real use of a work of this kind is to direct the practitioner to the authorities for which he is in search, not to reproduce those authorities. It is upon the reports themselves that a lawyer must ultimately rely. The province of compendiums is to guide him by a short cut to his goal. The Ballard Annual does this far better than any mere digest can do, for on account of its elaborate arrangement and index, and especially the fact that something more than dry and insufficient syllabi are given, a far more correct estimate is given of the importance of the original cases, and whether or not they are applicable to the point being studied.

W. S. E.